श्री बलबीर सिंह : गलत पासपोर्ट बनाने के सिवाय और चारा क्या है ?

श्रीमती कमला सिन्हा : मैडम, एक व्यक्ति नाम बदलकर, गलत पासपोर्ट लेकर जाए, यह तो आफेन्स है, यह तो क्रिमिनल आफेन्स है... (व्यवधान)

श्री बलबीर सिंह : पासपोर्ट मैं नहीं बनाता, पासपोर्ट आपका महकमा बनाता है, पासपोर्ट मैं नहीं बनाता।

उपसभापति : आपसे नहीं कह रही हैं। वे कह रही हैं कि जिसने ऐसा काम किया गलत पासपोर्ट बनाना तो एक जुर्म है।

श्री बलबीर सिंह : इसमें क्या करना पड़ता है, इस पर आपको विचार करना चाहिए... (व्यवधान)

SHR1 O. RAIAGOPAL Madam, just now ji) explanation *aS given by the hop.- Minister that they had asccr tained it from the UAE Government and thai they had said that the) did not make any distinction on the basis of religion. Bui e'en now advertisements appearing in diffi newspapers in Kerala specificalK only those who do not belong to Hindu religion need apply It means onl) Muslims :oid Christian"; apph This ort of advertisement-are regularly appearing in the nev-papers in Kerala I would like to inn* from the hon Minister wl the Government will take action iwi thoie people who arc adver tising in this mannri and whetl is with the knowledge of tli men' I wotiTtl alto like- to- too* Whether entering into such contracts in this countr> on the basis of rcli- ditttaotion can be allowr not

SHRI MATI KAMLA SINHA suggestion is wejl taken Wr "ill in quirr inio the MtMl *nd okr »etion

THF DflVTY CHAIRMAN 1 <hin» so many sitpolementaries ha»e be<*» uk»d *cm* |h»»» question Wc have (tuetliom alto Oitestio.

Nepalese and Indians settled in each other's territory

*323. DR. B. B. DUTTA: Will the PRIME MINISTER be pleased to state:

(a) whether, under the provisions of Indo-Nepal Peace and Friendship Treaty of 1950, Indians and Nepalese enjoy the right of reciprocal movement into each other's territory, settle there, and undertake trading activities or take up jobs; and

(b) if so, the number of persons from Nepal who have settled, those who have taken up jobs and those doing business in India under the provisions of the Treaty as on date, and the corresponding figures of Indians in Nepal?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRIMATI KAMLA SINHA): (a) and (b) A statement is laid on the Table of the House

Statement

Articles 6 & 7 of the 1950 Treaty state as follows:

Art. 6 "Each Government undertakes, in token of the neighbourly friendship between India and Nepal to give to the nationals of the other, in its territory, national treatment with regard to participation in industrial and economic development of such territory and to the grant of concessions and contracts relating to such development."

Art. 7 "The Governments of India and Nepal agreed to grant, on a reciprocal basis, to the nationals of one country in the territories of the other the same privileges in the matter of residence, ownership of property, participation

in trade and commerce, move- ment and other privileges of a similar nature-"

2. The border between India and Nepal is open for movement of Indian and Nepali nationals. As a result, no precise estimate exists of the strength of the Indian community in Nepal or the Nepalese community in India due to the absence of any workable mechanism to monitor the movement of nationals of both countries across the border.

3. According to the 1991 census figures of the Government of India, the number of Nepalese nationals, on the basis of their declared place of birth, is 4,78,694: and on the basis of their declared last place of residence, is 4,36,518 (excluding J&K). The ma jority of Nepalese nationals in India are employed as domestic help, secu rity guards, in small businesses and unskilled jobs, as plantation workers etc.. and in the Indian armed forces

4. As per the Nepalese census of 1991, there were 68,489 Indian citizens residing and working in Nfepal. The figure for the number of people who declared their place of birth as India was 4,18,982. The majority of Indian citizens residing in Nepal are mainly engaged in industry, tirade, teaching and semi-skilled jobs

Dr.. B. B. DUTTA; Madam, the relationship between India and Nepal is loo precious and we have to guard it properly. There is one emotive issue which has been threatening to plague our relationship off and on. Some fear is being created among Nepalese people by some political parties and some groups and even by some intellectual*, including some top intrlleciii.il>. from Nepal, thu under articles s and 7 n(the 19 50 Treaty the tndiam are threatening to »*amp the Vp.ilese people in business and trade, whereas on this side there U a feeling that under this provision many more Nepalese are entering into India and are enjoying reciprocal rights of citizenship. My question is this What is the exact number of people who have come from Nepal to India and who have gone from India to Nepal? Under articles 6" and 7 of the 1950 Treaty how many people have come from Nepal to India? What states are they enjoyiag? How many people have gone from India to Nepal? In the answer the Minister says:

"No precise estimate exists of the strength of the Indian community in Nepal or the Nepalese com munity in India due to the ab sence of any workable mechanism to monitor the movement of na tionals of both countries across the border." ,

My question is this. Why can't a workable mechanism be developed? What is the problem? We have got elaborate demography- We have got statistical aids available with us-Then what is the problem? Why can't we enumerate the people coming from that side to this side and those going from this side to that side? Kindly clarify it.

SHRIMATI KAMLA SUNHA; Madam, the hon. Member is aware of the fact that we have an open border with Nepal. We have border checkposts. If people come through these check-posts then only they can be counted. But if they come from other areas, they cannot be counted. How many people came from Nepal, it is listed here As per the Nepalese Census 1991, there were 68,489 Indian ci'^ens residing and working in Nepal- As per our 1991 Census there were nearly 6,00,000 Nepalese people, are residing in India But we know that the number is much more than what has been stated here. It is because of the fact that people do not come throtiih the checkposts. They just the border. The mechanism that we can have i< we c_{an} introduce

11 passport tystem. But have a Treaty with Nepal. As I have already stated, they can cross the border under that Treaty and they have a right *t°* reside in our country.

The 1950 Treaty says:

"Each Government underrates, in token of the neighbourly friendship benveen India and Nepal, to give to the nationals of the other, in its territory, national treatment with regard to participating in in-dustiial and economic development of such territory and to the grant of concessions and contracts 1 elating to such development.

The Government of India and Nepal agreed to grant, on a reciprocal basis, to the nationals of the country in the territories of the other the same privileges in the matter of residence, ownership of property, participation in trade and commence, movement and other privileges of a similar nature'"

This is the situation.

DR. B. B DUTTA: This Trealy is being violated from the Nepalesc side

citizens who are entering into Nepal under this provision are being debarred jrom taking jobs there. There are restrictions on owning houses and property, on Cwning [L]ruci,s. on plying transport etc. Indians arc being subjected to all these restrictions While- uhe Nepalcso on this side can own land, houses, they can do business they can apply for Government job*—• 1 that is another thing how miiny jobs iltev get. But they are entitled 10 tBfly for those jobs. So- you are creating these iiritants My question κ thiv Why can', we lake an live MOW? People enter trjrCWgh each and every route. Once 'hey have entered my territory whith i* under my eOMMMi, **r** should know how manv people have entered 1 must have lome macianiim. OthcrwUe jl^atf[1] °°/ *<[1],

ministering *my* territory *I* don't understand it.

THE PRIME MBNICTER (SHRJ I. K. GUJRAL): Dr. Dutta is very well aware of the quality of relationship w[e] are having with Nepal You h;ive talked about objectivity. Object^ vity demands that this tv£>e of unique relationship js sustained. I think both the countries gain a lot from it. On one issue or the other, there can be differences from time to time, and those sre sorted out in a friendly spirit. I value Indo-Nepal friendship far more than anything else.

श्री राजनाथ सिंह "सूर्य" : उप-सभापति महोदय, म माननीय प्रधान मंत्री जी को इस बात के लिये धन्यवाद देता हू कि उन्होंने कहा कि भारत और नेपाल के संबंधों की एक विशेष स्थिति है और उसको ध्यान मे रखकर विषयों को लेना चाहिये । इसलिये भारत नेपाल के बीच जो आवाजाही का नियम है उसमे बहुत अधिक परिवतन की आव-श्यकता है । परन्तु मैं तथ्य की ओर ध्यान आकर्षित करते हुये प्रधान मंत्री से जानना चाहूगा कि यह जो आवाजाही का नियम है और नेपाल से हमारे विशेष संबंध है, इन संबधों को देखते हुये ऐसे लोग जो कि हमारे देश के किसी राज्य मे अपराधिक कृत्यों मे वाछित है, उन्हे यदि नेपाल मे विशेष प्रोत्साहन मिलता है, समद सदस्य बनाया जाता है या मंत्री बनाया जाता है, ऐसी स्थिति मे ऐसे लोगो के बारे मे, विशेष रूप से नेपाल सरकार से अब भी बातचीत होती है, तो उस मुद्दे को उठाने का प्रयत्न किया जावेगा?

SHR1 J K GU1RAL Of late. ‚her» were some complaints aaput *ptoptt* roming to India for terrorist cnvjtia* from third countries And 1 mu»t say to the credit of the Government of Nepal that they have been very coope-rative with India. So far **a*** MOM peopia having entered puWic lite, etc ***a*** *cam*-oaataA il specific cases are brought to my notice, 1 will bring it to the ootiaa of tba

श्री नरेन्द्र मोहन : आदरणीय प्रधान मंत्री का धन्यवाद कि उन्होंने स्पष्टीकरण दिया लेकिन यह स्पष्टीकरण अधूरा है। जो खुली सीमाए है इनकी वजह है हम कोई प्रतिबंध नही लगा सकते है। लेकिन खुली सीमाए देश के अन्य पड़ोसी देशों के साथ भी है तो उन पर नियंत्रण करने के लिये उन्होंने कोई तंत्र बनाया है। अत: प्रश्न था कि क्या ऐसा कोई तंत्र बनाया जा सकता है जिससे नेपाल के लोग भारत में आते है तो उनके बारे में सही जानकारी एकत्रित की जा सके?

एक बात और है प्रधान मंत्री जी कि नेपाल के जो लोग भारत में आकर बस गये है और एक प्रकार से उन्होंने नागरिकता तक प्राप्त कर ली है और यह स्थिति ऐसी बन गई है कि जब चुनाव होते हैं तो उस अवसर पर उनकी एक विशेष भूमिका बन जाती है जबकि भारत के जो लोग नेपाल में रहते है उनके साथ वह स्थिति नही बन पा रही है। इन स्थितियों पर ध्यान रखते हुये क्या आप ऐसा तंत्र बनाने की सोचेंगे कि जितने नेपाली भारत में रह रहे है उनके बारे में वास्तविक जानकारी हमको मिल सके ? दूसरी बात और है जो भारतीय नेपाल में जाते है उन्हें वे समस्त सुविधाएं मिल सके जो उन नेपालियों को भारत में मिलती है, जो नेपाल से आकर यहां रह रहे है।

BHWt I. K. GUJRAL: Madam, I have just now submitted and I want to submit again for the attention 01* my hon friend who is very knowledgeable on this issUt that the Indo-Nepal relationship b4» a uniqueness about it. And this type ol relationship is of a very high value to u' Not ouly today, not only yesterday, for centuries this rela-tionhip has been there and ve want to swtain <•. Of course, aberrations come 'hue/ to time and sometimes one has to reM**>d to them. Vs far as the difficulties of Indians residing in Nepal are concerned, particu'arlv teachers we have been talking f_0 Nepal time and again. I have myself personally taken up with the two respective Governments and they have been promising to sort it out. But at ths same time, so far as the data of people there are concerned, you know India is a vast country and if tbe borders are open, then the census equipment or census system has to be further sensitised. But at the moment v.'e are looking int_0 it but kindly let us not give one impression, we need not go from this House, that is, under any circumstances we do nO[want to, 1 repeat that under any circumstances we d_0 not want to revise the quality o^f the relationships that exist between Our countries. We value them.

THE DEPUTY-CHAIRMAN: I think after the Prime Minister's clarifications, there is nothing left. Question No 324.

Reply to M.Ps. Letters by Regional Password Office Triciiy

"324. SHRl N. THALAVAI SUNDARAM: Will the PRIME MINISTER be pleased to state:

(al whether it is a fact that replies to the $letter_s$ sent by MPs. to the Regional Passport Office. Trichy. are not given:

(b) if so. <he reasons therefor: and

ic) the stepsi taken to ensure that the replies to the letters from M Ps. ar« riven by the above Office?

THF MINISTER OF STATE IN THF MINISTRY OF EXTERNAL AF-I AIRS I SH RIM ATI KAMLA SINHA): (a) to fcl A statement is laid on th^c Tablj. of the House.

Statement

r.) fc) Althougt n_0 separate in*' -en issued b_v the M.r nislrv of External Affair-; on the Subjetc :l Pis.pon Officers arc expected

follow he instructions laid do*» bv the Government of In, l ie, in tb* $Manu_{rt}$! of Office Procedure rogardi*